

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

ROBERT GANDY, et al.,

Defendants.

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Civil Action No. 4:13-cv-2233

**UNOPPOSED MOTION TO ENTER FINAL JUDGMENTS AS TO DEFENDANTS
ROBERT GANDY AND ALVIN AUSBON**

Plaintiff Securities and Exchange Commission (“SEC”) submits this Unopposed Motion to Enter Final Judgments as to Defendants Robert Gandy and Alvin Ausbon (collectively, “Defendants”) and would respectfully show the Court as follows:

1. The Commission filed a complaint on July 31, 2013, naming Defendants in this civil action. The Commission is seeking, as to each Defendant, orders providing for disgorgement, civil penalties, penny-stock bars, and permanent injunctions from violating Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. §§ 77e(a), 77e(c), and 77q(a)] and Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. §§ 78j(b) and 78o(a)(1)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder. As to Defendant Robert Gandy, the SEC is also seeking an order, permanently barring Gandy from serving as an officer or director of a public reporting company pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)] and Section 20(e) of the Securities Act [15 U.S.C. § 77t(e)]
2. The SEC and Defendants have recently engaged in settlement negotiations that have yielded agreements, which, when given effect by entry of the attached agreed final

judgments, will resolve all SEC claims against Defendants except the SEC's claims as to civil penalties. The agreements provide, however, that the SEC's claims to civil penalties will be resolved by the Court without trial upon a future motion by the SEC.

3. Without admitting or denying the allegations in the SEC's Complaint, Defendants have consented to the entry of the final judgments. Defendants' executed and notarized Consents (Exhibits A and B) and the agreed form of the final judgments are filed herewith.

4. To give effect to the parties' agreement, the SEC respectfully moves the Court to enter the final judgments as to Defendants.

May 4, 2015.

Respectfully submitted,

s/Timothy S. McCole

TIMOTHY S. McCOLE

Mississippi Bar No. 10628

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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2015, I caused a copy of the foregoing document to be sent to the following recipients by mail and email:

Robert Gandy
4631 Durban Oaks Dr.
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Defendant, Pro Se

Alvin Ausbon
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Katy, Texas 77494
Defendant, Pro Se

/s/Timothy S. McCole
Timothy S. McCole